

February 2, 2021

The Honorable Roslynn R. Mauskopf  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: Capital 7 Funding v. Wingfield Capital Corp., et al., Case # 1:17-cv-2374-RRM-ST; Proposed revised briefing schedule for motions to vacate default and cross-motions for default judgment**

Dear Judge Mauskopf:

We write on behalf of Plaintiff Capital 7 Funding (“Capital 7”) and with consent of Defendants Joseph Rabito, Damian Laltie, Burgis Sethna, Heath Wagenheim, and Wingfield Capital Corporation to set forth a joint briefing schedule for the Defendants’ motions to vacate their defaults filed at ECF Nos. 96 and 100 and for Plaintiff’s cross-motions for default judgment.

The parties have agreed to the following briefing schedule pursuant to Your Honor’s Individual Rule III.B.7.:

- a. Plaintiff’s opposition to Defendants’ motions and cross-motion for default judgment is due served March 12, 2021;
- b. Wingfield Defendants’ reply and opposition to default judgment is due served April 9, 2021;
- c. Plaintiffs’ reply is due served April 30, 2021.

This briefing schedule will extend the briefing schedule for the motion to vacate by Defendants Burgis Sethna, Heath Wagenheim, and Wingfield Capital Corporation, which the Court previously approved on January 21, 2021, as follows:

- a. The date to serve Plaintiff’s opposition to Defendants’ motions and cross-motion for default judgment will be extended from February 24, 2021 to March 12, 2021;
- b. The date to serve Wingfield Defendants’ reply and opposition to default judgment will be extended from March 24, 2021 to April 9, 2021;
- c. The date to serve Plaintiff’s reply will be extended from April 9, 2021 to April 30, 2021.

Plaintiff requests this unified briefing schedule so that it may fully address the arguments put forth by Defendants in their motions.

Thank you for your consideration of this letter.

Respectfully,

/s/  
Nicholas Bowers, Esq.  
*Counsel for Plaintiff*  
Gary Tsirelman P.C.  
129 Livingston, 2<sup>nd</sup> Floor  
Brooklyn NY 11201

cc: All counsel via ECF